

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

**Proposing rule making related to aftercare amounts
and providing an opportunity for public comment**

The Department of Human Services hereby proposes to amend Chapter 187, “Aftercare Services Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 234.46.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 234.46.

Purpose and Summary

When Chapter 187 was recently amended, the new language was unclear. The Department believes there was an oversight when changes were made, and the result was that some participants may receive less financial support than was intended. This proposed amendment corrects that error by clarifying that youth who previously received aftercare services may receive up to \$300 per quarter in postservices funds, which was the intent of the original amendment. This is the amount available to each youth per the aftercare contract.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on February 18, 2020. Comments should be directed to:

Nancy Freudenberg
Iowa Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: appeals@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 187.3(7) as follows:

187.3(7) Postservices allowance. Youth 21 or 22 years of age who previously received aftercare services may receive postservices funds if they meet all of the following criteria:

- a. The youth is participating in postservices as described in subrule 187.3(3).
- b. A budget discussion has been completed timely by the youth with a self-sufficiency advocate.
- c. The need has been identified in the individual self-sufficiency plan.
- d. The postservices funds approved for the youth have not exceeded ~~\$600 for the previous 12-month period~~ \$300 for a three-month period calculated from the date of initiation of postservices.